

CITIZEN'S REDISTRICTING COMMISSION

Hearing Room: Secretary of State Auditorium  
1500 11<sup>th</sup> Street  
Sacramento, CA 95814

THURSDAY, JANUARY 27, 2011  
9:40 A.M.

Reported by:  
Kent Odell

APPEARANCES

MEMBERS PRESENT:

Cynthia Dai, Chairperson  
Gabino T. Aguirre  
Vincent Barabba  
Maria Blanco  
Michelle R. DiGuilio  
Stanley Forbes  
Connie Galambos Malloy  
Lilbert "Gil" Ontai  
Jeanne Raya  
Michael Ward  
Jodie Filkins Webber  
Peter Yao

MEMBERS ABSENT:

M. Andre Parvenu

STAFF PRESENT:

Cy Rickards, Counsel, Secretary of State's Office  
Anne Osborne, Secretary, Secretary of State's Office  
Dan Claypool, Executive Director

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1. Swearing-in of last six Commissioners	
2. Discussion and selection of Chair and Vice Chair, and introductory remarks.	
3. Commission governance, such as limiting time for comments, establishing advisory committees, per diem guidelines, and other governance matters.	5
4. Appointment of Committee comprised of the last six Commissioners for limited purpose of receiving Bagley-Keene Act training.	
5. Bagley-Keene training - last six Commissioners.	
6. Secretary of State support efforts - update and decision.	
7. Recruiting and hiring, including training, criteria, interviewing, and choosing staff and consultants.	
8. Discussion and action regarding redistricting matters.	
9. Schedule, operation and location of future meetings.	
10. Discussion and action regarding future training.	
11. Evaluation of candidates and selection of Commissioner, pursuant to Government Code section 8252.5(b), to replace Commissioner Elaine Kuo who resigned effective January 14, 2011.	14
12. Adoption of Commission staff salary schedules.	
13. Approval of Meeting Minutes.	
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1. Consideration of personnel matters:  
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1 P R O C E E D I N G S

2 JANUARY 27, 2011

9:38 A.M.

3 CHAIRPERSON DAI: We are reconvening for the  
4 meeting of the Citizen's Redistricting Commission. It is  
5 9:38.

6 As I announced yesterday, we actually have a very  
7 short time in open session today because of interviews  
8 for the chief counsel.

9 I have just a couple of things that I would like  
10 to try to get through in the less than hour, now, that we  
11 have before we need to go into closed session.

12 The Commissioners have received and it's been  
13 posted on the website the -- it has been posted on the  
14 website, right -- the draft list of advisory subcommittee  
15 assignments.

16 This was a severe kind of a matching exercise. I  
17 did my best to make sure you had your first choice and  
18 tried to keep the numbers small, and manageable, while  
19 accommodating also having a Democrat, a Republican, and  
20 someone from declined-to-state.

21 I've just received a reminder that I forgot to do  
22 attendance here, so let's go ahead and take care of that,  
23 first.

24 MS. OSBORNE: Commissioner Aguirre?

25 COMMISSIONER AGUIRRE: Here.

1 MS. OSBORNE: Commissioner Barabba?  
2 COMMISSIONER BARABBA: Here.  
3 MS. OSBORNE: Commissioner Blanco?  
4 COMMISSIONER BLANCO: Here.  
5 MS. OSBORNE: Commissioner Dai?  
6 CHAIRPERSON DAI: Here.  
7 MS. OSBORNE: Commissioner DiGuilio?  
8 COMMISSIONER DI GUILIO: Here.  
9 MS. OSBORNE: Commissioner Filkins Webber?  
10 COMMISSIONER FILKINS WEBBER: Here.  
11 MS. OSBORNE: Commissioner Forbes?  
12 COMMISSIONER FORBES: Here.  
13 MS. OSBORNE: Commissioner Galambos Malloy?  
14 COMMISSIONER GALAMBOS MALLOY: Here.  
15 MS. OSBORNE: Commissioner Ontai?  
16 COMMISSIONER ONTAI: Here.  
17 MS. OSBORNE: Commissioner Parvenu?  
18 Commissioner Raya?  
19 COMMISSIONER RAYA: Here.  
20 MS. OSBORNE: Commissioner Ward?  
21 COMMISSIONER WARD: Here.  
22 MS. OSBORNE: Commissioner Yao?  
23 COMMISSIONER YAO: Here.  
24 MS. OSBORNE: Thank you very much.  
25 COMMISSIONER YAO: So, that's the one thing I

1 would like to take care of is looking at that. I've also  
2 made some proposed times. I was hoping to only have two  
3 tracks, which proved to be impossible due to the couple  
4 of folks who definitely wanted to be on two  
5 subcommittees.

6 So, take a look at that and see if this looks  
7 like a reasonable plan.

8 Also, note that there's some implicit assumptions  
9 here about the time. The first track, where the  
10 Technical and Public Information Committees would meet, I  
11 have from 9:00 to noon.

12 And then the Finance Administration Committee  
13 meeting over lunch for a couple of hours. I made it only  
14 a couple of hours because I figure there may be some  
15 limited things that they can talk about until some of the  
16 other committees make a little more progress.

17 And then Legal and Outreach going from 2:00 to  
18 5:00.

19 But, you know, if there are no conflicts, you  
20 know, obviously, the Legal Committee could meet later,  
21 for example, or the Finance and Administration Committee  
22 could go longer.

23 So, this is a proposal. If anyone has any  
24 suggestions, or thoughts, or didn't get their choice,  
25 please say so now. I think I got -- accommodated

1 everyone's first choice.

2 COMMISSIONER GALAMBOS MALLOY: Well, given that I  
3 think we're pretty well situated on the Outreach  
4 Committee, I'd be happy to step down from that and just  
5 focus on Finance and Administration.

6 CHAIRPERSON DAI: Okay, thank you. Any others?  
7 Yes, Commissioner Yao?

8 COMMISSIONER YAO: I notice the starting time as  
9 being nine o'clock. What did we agendize the Wednesday?

10 CHAIRPERSON DAI: Good point. We agendized it at  
11 9:30, did we not?

12 How big a deal is it to change the times?

13 EXECUTIVE DIRECTOR RICKARDS: It's not a big  
14 deal. We haven't -- the agenda hasn't been sent out,  
15 yet, has it? No. So, we'll make that change. It's got  
16 to go out today.

17 CHAIRPERSON DAI: Okay. I thought it had to go  
18 out yesterday.

19 EXECUTIVE DIRECTOR RICKARDS: Today.

20 CHAIRPERSON DAI: Today, okay. So, that was just  
21 to give a little extra time if you -- for folks on the  
22 Technical and Public Information don't feel like you need  
23 to start at 9:00, that's fine, too, it's just a  
24 suggestion.

25 COMMISSIONER WARD: Just being that it's the

1 first -- I think we're fine for this first one only  
2 because we'll be at a new location. I think just getting  
3 room assignments, getting set up, all that kind of stuff,  
4 I think we can fill a half-hour with that and then be  
5 ready to start into business at 9:30.

6 CHAIRPERSON DAI: Okay. Anyone else want to take  
7 themselves off a committee or add themselves to a  
8 committee, feel free to speak up now.

9 COMMISSIONER YAO: Now, it's understood that as  
10 long as we don't have more than six Commissioners, those  
11 who are not on the subcommittee are free to attend and  
12 participate.

13 CHAIRPERSON DAI: You're free to attend. My only  
14 request is, for the sake of ease of conversation, the  
15 whole reason of having subcommittees is to allow people  
16 more opportunities to speak.

17 So, if you attend and you're not official on  
18 just, you know, please observe. So, if you want to add  
19 yourself -- if you want to speak, please add yourself.

20 COMMISSIONER YAO: Should we program anything for  
21 Commissioners that are not participating in the  
22 subcommittee during the time slot? For example,  
23 Wednesday, 9:00 to noon there are seven people attending  
24 subcommittees formally, are there activities?

25 CHAIRPERSON DAI: Well, part of the reason I

1 thought we could do this is it may not be necessary for  
2 certain Commissioners to actually be there that early  
3 then. So, it will give the Commissioners who are not  
4 currently meeting, you know, free time.

5 Or else we could always make Commissioner Ward  
6 lead them in a boot camp. I mean, there are some  
7 choices.

8 COMMISSIONER WARD: I know the folks on the  
9 Public Information team are excited to get going and we  
10 expect to have a lot of work to do coming out of that  
11 subcommittee. So I, certainly, would love to have the  
12 day as a team to start tacking those things immediately.

13 CHAIRPERSON DAI: Any other --

14 COMMISSIONER BLANCO: And can you remind me,  
15 again, is this every Wednesday, every time we have our  
16 business -- so every business meeting is going to  
17 start -- it's going to be Wednesday through Friday,  
18 correct?

19 CHAIRPERSON DAI: That is what we're --

20 COMMISSIONER BLANCO: That's what we're saying  
21 here.

22 CHAIRPERSON DAI: We're trying to say, yes.  
23 Obviously, it's subject to change and I don't think the  
24 times are set in stone. Like I said, I could totally  
25 imagine if the Legal Committee does not have a lot to

1 discuss that it could meet for an hour, and meet from  
2 4:00 to 5:00. So, I mean, I think that we can always  
3 adjust that as appropriate.

4 COMMISSIONER BLANCO: So, this is beginning our  
5 next meeting?

6 CHAIRPERSON DAI: Yes.

7 COMMISSIONER BLANCO: And thereafter?

8 CHAIRPERSON DAI: Meeting as needed because there  
9 may not be issues for a subcommittee to go into at any  
10 particular meeting.

11 COMMISSIONER BLANCO: Okay. Thank you.

12 COMMISSIONER YAO: Which of the -- let's just go  
13 down the list. Which are the two subcommittees that meet  
14 between 9:00 and noon are perceived to be the bigger  
15 subcommittees? The room assignment is really what I'm  
16 looking at.

17 CHAIRPERSON DAI: So, the Public Information  
18 Committee has four and the Technical has three, so  
19 they're pretty small.

20 COMMISSIONER YAO: I'm looking at, perhaps,  
21 public attendance.

22 CHAIRPERSON DAI: Oh, hard to predict. I mean,  
23 we could get a show of hands from the audience in the  
24 morning. I mean --

25 COMMISSIONER YAO: Well, again, I think we need

1 to perhaps assign the room ahead of time and we'll just  
2 have to take our best shot at it. I suspect the Public  
3 Information may be bigger than the Technical, from a  
4 perspective of total meeting participants.

5 CHAIRPERSON DAI: Any comments? Commissioner  
6 Barabba?

7 COMMISSIONER BARABBA: I have -- I guess we have  
8 no way of anticipating that. It's hard for me to  
9 envision how many are going to show up.

10 COMMISSIONER YAO: All right. How about the --  
11 obviously, in the afternoon the Outreach probably would  
12 be by far. So, that one will be meeting in the main  
13 meeting room and then the Legal would be meeting at the  
14 second, the slightly smaller room then.

15 So, it's understood that we would only need two  
16 rooms, then, for this coming Wednesday -- or for the  
17 February the 9<sup>th</sup>?

18 COMMISSIONER GALAMBOS MALLOY: I think in the  
19 afternoon we would need three. If I'm reading this  
20 correctly, we need one for the Finance Administration,  
21 one for Legal, and one for Outreach?

22 CHAIRPERSON DAI: Right. But they don't overlap,  
23 so Finance Administration, I set that up so it doesn't  
24 overlap.

25 COMMISSIONER GALAMBOS MALLOY: Got you.

1           CHAIRPERSON DAI: So, we'd actually need only two  
2 rooms.

3           COMMISSIONER DI GUILIO: You know, I think I  
4 would like to suggest if I could go onto the Technical  
5 Committee, and I'll pay Commissioner Barabba's dues. And  
6 from the sake of simplicity you can remove my name, then,  
7 from Finance Administration. How about that?

8           CHAIRPERSON DAI: Okay. All right, anyone else  
9 change their mind? Okay.

10          COMMISSIONER DI GUILIO: Thank you for doing this  
11 by the way, Commissioner Dai.

12          CHAIRPERSON DAI: Yeah, it was a pretty long  
13 exercise, actually.

14          All right. And there's one other item that I  
15 would like to see if we can complete discussion on, which  
16 is actually the preparation for tomorrow, where we will  
17 be, hopefully, selecting Commissioner Elaine Kuo's  
18 replacement.

19          COMMISSIONER ONTAI: Chair Dai, before you  
20 continue, could I kind of suggest and maybe this is what  
21 we've talked about, but I'm not sure, but each of these  
22 five subcommittees I'm assuming could elect and nominate  
23 someone as the coordinator for the group.

24          CHAIRPERSON DAI: Uh-hum.

25          COMMISSIONER ONTAI: And that would be up to that

1 subcommittee to do that.

2 CHAIRPERSON DAI: I think that's an excellent  
3 suggestion.

4 COMMISSIONER ONTAI: Thank you.

5 CHAIRPERSON DAI: We will have report outs from  
6 each subcommittee during the main Commission meeting, so  
7 volunteer one of your own to do that. And you can choose  
8 whether you want to rotate that or not. Good suggestion.

9 Okay. Actually, before we leave this topic, I  
10 just wanted to check if there was any public comment on  
11 these subcommittees? It's mostly an internal  
12 housekeeping matter for us, but if anyone would like to  
13 comment, now would be the time.

14 Seeing no one approaching the podium, let's go on  
15 to the next topic. And this is what I had put under  
16 Thursday for Commissioner governance, discuss and gain  
17 agreement on selection process and the reminder of the  
18 vote required.

19 So, let me just talk about the vote required,  
20 just to get that out of the way.

21 I spoke with counsel about this, just to clarify  
22 things. It's not actually specified by the Act. The  
23 first eight of us had very clear guidelines on the  
24 minimum required vote to select the slate of the final  
25 six and, basically, this vote is actually a simple vote

1 of nine. It's not a requirement by any subpool. So,  
2 hopefully, we can actually reach consensus and that won't  
3 be an issue but, you know, you never know.

4 So, just to clarify that, which kind of makes  
5 sense, because we're going to be down a Democrat.

6 All right. So, let me open the floor for  
7 discussion on the approach that we may want to use for  
8 the selection process. Hopefully, this will make our  
9 meeting go a lot more smoothly tomorrow.

10 COMMISSIONER YAO: Would you cover some of the  
11 public input as to what has been suggested in terms of  
12 the Commission replacement?

13 CHAIRPERSON DAI: Sure. Would anyone like to  
14 volunteer to do that? We have received some public  
15 comments on the selection process.

16 COMMISSIONER YAO: I know -- I know somebody  
17 suggested that since the Commissioner was part of the  
18 random drawing process, perhaps that random drawing  
19 process should be used to replace that Commissioner.

20 CHAIRPERSON DAI: Yes. And we had this  
21 discussion last week and agreed that the Commission,  
22 since it's not specified by the Voting Rights -- by the  
23 Voters First Act, that we would take the latitude and  
24 select our final Commissioner.

25 COMMISSIONER YAO: And I also heard that because

1 that individual represented a certain area perhaps we  
2 should pick a Commissioner from close to that area.

3 And somebody also has suggested that perhaps  
4 because the random process was such, that that particular  
5 Commission was picked and we should pick one that's as  
6 close to the ethnicity and characteristic of that  
7 particular Commissioner. Those were all public input as  
8 to how we should -- how we should do the selection.

9 CHAIRPERSON DAI: Okay. So, how do other  
10 Commissioners feel about that?

11 Commissioner Galambos Malloy?

12 COMMISSIONER GALAMBOS MALLOY: You know, I think  
13 we've all done our homework and we're pretty familiar  
14 with what the main criteria are that we need to be  
15 keeping in mind. Personally, I feel like as we look at  
16 the diversity of the State, in all meanings of the word,  
17 as we look at the remaining applicants in the pool, what  
18 their relevant analytical skills are and they're ability  
19 to be impartial, I think the way that we approached this  
20 last time was to actually put forward -- at that point we  
21 were working from a slate, so we were putting -- we  
22 started nominating the candidates that we felt like were  
23 best able to address each of those three overarching  
24 criteria.

25 Not every one of the candidates made it into that

1 final pool, but it was a way of kind of grounding and  
2 focusing the conversation around the individuals that we  
3 felt would best meet all of those areas.

4 I read the comment regarding thinking about  
5 placing Commissioner Kuo's -- replacing her with someone  
6 who essentially was a stunt double or, you know, shared  
7 many of the same characteristics as Commissioner Kuo.

8 However, I feel if we really take a step back and  
9 we look at the three criteria, the intention of the  
10 Voters First Act, that may not be the best solution for  
11 actually weighing, particularly, the geographic diversity  
12 of the State and some of the other qualities.

13 So, I'd suggest we really take a step back and  
14 look at the intention of the Voters First Act. Our  
15 charge is much broader than replacing Commissioner Kuo,  
16 it's looking at ourselves as a full Commission body, and  
17 what body would best be able to represent the State.

18 CHAIRPERSON DAI: Thank you.

19 Commissioner Forbes?

20 COMMISSIONER FORBES: Yes, I'd have to agree with  
21 much of what was just said. I think that because of the  
22 random draw process like, for example, Northern  
23 California had an excessive number, I mean statistically,  
24 of members, and we tried to take that into account.

25 But still, given the fact that the first eight

1 had certain characteristics that did not reflect the  
2 State, and we were not able, probably, to completely  
3 correct those, I think that we should look at all seven  
4 of the candidates fresh, without regard to trying to  
5 replace Commissioner Kuo, as you said a stunt double. I  
6 would feel much more comfortable that we just have a free  
7 selection.

8 CHAIRPERSON DAI: Okay. Other Commissioners?  
9 Commissioner Ontai?

10 COMMISSIONER ONTAI: I agree, I think we need to  
11 go back and look at the original purpose of why the  
12 Commission was formed and look at those three criteria as  
13 the basis on which we would look at the remaining  
14 candidates to fill that position.

15 CHAIRPERSON DAI: So, any affirmative suggestions  
16 on how we should go forth on this?

17 Just to remind the public, for those of you who  
18 didn't watch the selection of the final six, by the first  
19 eight, we used a pool process where people nominated  
20 various candidates to be in a pool that we narrowed down  
21 in a couple of rounds. And we finally came up with our  
22 selection based on the discussion about each candidate.

23 COMMISSIONER FORBES: Well, one technique, and  
24 this is one that we used when I was on the Davis City  
25 Council, and other former council or current council

1 members may have a similar experience. What we would do,  
2 we were in the planning commission and we would give --  
3 there might be, you know, ten applicants, and we would  
4 give each member of the council three votes. And all ten  
5 names were put up and we each voted and cast three votes.  
6 And anybody who didn't get any votes was dropped out.

7           And then everybody got two votes and we did the  
8 same thing. And then everybody got one vote and at the  
9 end the person who got the most votes was the person who  
10 was put on. So, that's a technique.

11           CHAIRPERSON DAI: Similar to what the Applicant  
12 Review Panel used.

13           Any other thoughts?

14           We didn't use that explicit voting technique  
15 among the first eight, we actually just nominated, so  
16 that's an alternative approach.

17           Commissioner Blanco?

18           COMMISSIONER BLANCO: You know, I just -- going  
19 back to sort of the issue of what's our starting point, I  
20 just wanted to say I agree with the idea that we really  
21 go back and look at this pool, sort of afresh, with the  
22 criteria in mind.

23           CHAIRPERSON DAI: Uh-hum.

24           COMMISSIONER BLANCO: That, you know, Prop. 11  
25 sets out, and not try and find a -- I mean, it may end up

1 being a person that's similar, but that's not how we  
2 approach it, like we're swapping Commissioners.

3 CHAIRPERSON DAI: Right.

4 COMMISSIONER BLANCO: But that we're going back,  
5 you know, to look at the entire pool.

6 CHAIRPERSON DAI: Okay. It sounds like there's  
7 pretty good agreement on that.

8 Yes, Commissioner Yao?

9 COMMISSIONER YAO: Question for Commissioner  
10 Forbes. The process of going from three votes, to two  
11 votes, to one vote, so the intent of the initial three-  
12 vote process was to narrow the pool down to half of the  
13 original size or --

14 COMMISSIONER FORBES: Well, whatever. I mean, we  
15 would have instances where we might have ten applicants,  
16 we would -- the five council members would agree on the  
17 three and the other seven would get no votes, and at that  
18 point you were done. Then, you just had to narrow it  
19 down.

20 COMMISSIONER YAO: All right. So --

21 COMMISSIONER FORBES: It is a mechanism of honing  
22 it down.

23 COMMISSIONER YAO: So that during each of the  
24 voting process there will be ample opportunity for  
25 discussion in terms of --

1 COMMISSIONER FORBES: Absolutely, right.

2 COMMISSIONER YAO: Okay, thank you.

3 CHAIRPERSON DAI: Any other thoughts? I would  
4 like to just revisit the criteria, there's obviously  
5 three that were specified by the Act.

6 And then the first eight also added the idea of  
7 skill sets, and ability to get along with the rest of the  
8 Commission. Since there are 13 of us here, I might  
9 suggest that those may be good ones to consider as long  
10 as they don't conflict with the overarching ones.

11 Any other thoughts on other criteria that we  
12 should keep in mind?

13 Commissioner DiGuilio?

14 COMMISSIONER DI GUILIO: I think, maybe, and I  
15 believe this has been mentioned earlier, I think  
16 something that may be a little intangible, too, but I  
17 think we are very -- we've been fortunate that we have a  
18 group of individuals who work very well together, despite  
19 the fact that there's times we may disagree, we're -- we  
20 still are able to move forward with that and are very  
21 respectful to each other.

22 And I think that collegiality issue is also  
23 something. It may be harder to measure, but I think it's  
24 something to be considered.

25 CHAIRPERSON DAI: Okay, great.

1 Other thoughts or is that a pretty good list?

2 COMMISSIONER FORBES: Sounds like a good list.

3 CHAIRPERSON DAI: Okay. All right. Any -- do we  
4 want to move forward with Commissioner Forbes' suggestion  
5 or do it more organically, like we did with the first  
6 eight, where we just nominated people to be in the pool?

7 Commissioner Raya? Raya, yes, go ahead.

8 COMMISSIONER RAYA: Thank you. I like the  
9 suggestions just because I think it will allow us to just  
10 move forward quickly. And since we're only selecting one  
11 person, you know, I don't think we need to --

12 CHAIRPERSON DAI: Have as much discussion about  
13 it?

14 COMMISSIONER RAYA: Yeah, yeah.

15 CHAIRPERSON DAI: Okay. Commissioner Yao?

16 COMMISSIONER YAO: I would welcome Commissioner  
17 Forbes to make that a motion so that we can make a  
18 decision associated with it.

19 COMMISSIONER DI GIULIO: And could you, maybe,  
20 before you make the motion, explain it? Is it that in  
21 the first round each Commissioner gets three votes on the  
22 whole list or --

23 COMMISSIONER FORBES: Right. Essentially, we  
24 have a board up here, or maybe down here so the cameras  
25 can see it, with the names of the seven people on the

1 list. We each get three votes, we each vote for three  
2 candidates. Any candidate who gets no votes is removed.

3 At that point you re-vote, but you each only get  
4 two votes. Anybody who gets no votes -- then we each get  
5 one vote. And whoever would get the -- if you happen to  
6 still have three candidates and you get three votes, then  
7 no one gets a majority, then you have to re-vote until  
8 someone gets a majority vote.

9 COMMISSIONER DI GIULIO: And just on a logistic  
10 is it part of it that you put your three votes on three  
11 separate people or do you --

12 COMMISSIONER FORBES: No, no, three separate  
13 people.

14 COMMISSIONER DI GIULIO: That's what I wanted to  
15 make sure.

16 COMMISSIONER FORBES: Yeah.

17 CHAIRPERSON DAI: Would you suggest that these  
18 votes be turned in to staff beforehand or --

19 COMMISSIONER FORBES: No, no, I think we do them  
20 publicly.

21 CHAIRPERSON DAI: Okay.

22 COMMISSIONER FORBES: No, I think we just have to  
23 sit here and read off our names. And that was done --  
24 actually, that was done for transparency.

25 CHAIRPERSON DAI: Okay.

1           COMMISSIONER FORBES: I mean, you could hand them  
2 in to staff and they could read them, but just to do it  
3 from the dais.

4           CHAIRPERSON DAI: Sounds good. Do I hear a  
5 second?

6           COMMISSIONER FORBES: Second.

7           CHAIRPERSON DAI: Okay. It's been moved and  
8 seconded that we go through a formal voting process with  
9 three votes each, for each Commissioner, in the first  
10 round, and narrowing the field down, eliminating  
11 candidates who do not have any votes, and continue to  
12 eliminate down with two votes per Commissioner, and one  
13 vote per Commissioner, as needed.

14          COMMISSIONER YAO: Question. Let's say with  
15 the -- after the final, one-vote process you're down  
16 to -- just pick a number, five candidates, okay, because  
17 there are five names and some may have a single vote.  
18 Then we basically, from that point on, start going from  
19 five, to four, to three, to two.

20          COMMISSIONER FORBES: Right. Now, the other  
21 way -- another way in which we've done it is you simply  
22 retain those who got the most votes and everybody else  
23 drops out. That's another way, a variant to it.

24          CHAIRPERSON DAI: Yeah. Go ahead, Commissioner  
25 Blanco?

1           COMMISSIONER BLANCO: Yeah, I guess I'm a little  
2 remiss -- a little loathe to decide right now to vote on  
3 a particular method of voting. I'm not sure why I feel  
4 like that.

5           You know, I haven't had a chance to really think  
6 about how it would play out. I mean, there might be  
7 another method that -- that more accurately captures -- I  
8 don't know if there is, you know. That more accurately  
9 captures how we're getting at the top criteria, rather  
10 than just sort of a top-vote-getter process.

11           I'm not sure if that's true. It may be that  
12 those are completely compatible, that we're going through  
13 the criteria and at the same time doing top vote getter.

14           But I'm not -- I'm concerned that something might  
15 happen in the process that gets us off looking at those  
16 criteria.

17           And so, I'm just -- I'm a little nervous about  
18 right now, and maybe I'll abstain, but deciding our  
19 particular methodology.

20           CHAIRPERSON DAI: Okay. Commissioner Barabba  
21 and --

22           COMMISSIONER BARABBA: The reason I'm not -- have  
23 the same concern is that these are seven people who have  
24 been through a rather elaborate screening out process.  
25 And anybody who is left in that pool is certainly

1 qualified for this jobs.

2 CHAIRPERSON DAI: Commissioner Filkins Webber and  
3 then Commissioner Forbes.

4 COMMISSIONER FILKINS WEBBER: Thank you, Chair.  
5 I'm assuming we will openly discuss these candidates and  
6 what our thoughts and opinions are regarding the  
7 categories that we've already agreed we must follow under  
8 the voting -- or the Voters First Act, and then we're  
9 considering drawing a vote.

10 You're not suggesting we perform a vote, first,  
11 without discussion of the candidates, is that correct?

12 COMMISSIONER FORBES: Absolutely, and that's part  
13 of the process.

14 COMMISSIONER FILKINS WEBBER: Well, no, are you  
15 suggesting that the vote would come first before we have  
16 an opportunity to discuss?

17 COMMISSIONER FORBES: No, no, no, no, you discuss  
18 the candidates. In fact, let me make this suggestion --

19 COMMISSIONER FILKINS WEBBER: I mean, I've seen  
20 the voting process in my own city council, so I'm very  
21 familiar with it. I just want to, given how we had done  
22 the first slate and to also address the concerns raised  
23 by Commissioner Blanco, openly discussing where we feel a  
24 candidate will fit with the Commission as it exists  
25 presently, and aiding those who might be wavering

1 regarding those vote, so we will be having a discussion  
2 and then we'll move forward with the vote.

3 COMMISSIONER FORBES: Right. Now, let me make a  
4 suggestion. Let me, for a moment, withdraw my motion.  
5 I'll write a brief memo to the Commission regarding the  
6 process, for tomorrow morning, and you can take a look at  
7 it and comment on it. Because I think to have this idea  
8 sort of thrown out there and say let's decide is rather  
9 quick.

10 So, I'd be happy to do that and we can discuss  
11 it, if that's convenient with the Chair.

12 CHAIRPERSON DAI: You're suggesting delaying this  
13 until -- tabling this until tomorrow or --

14 COMMISSIONER FORBES: Until tomorrow morning.  
15 And I'll have something in writing to how the process  
16 would work, to hand out to you, and I think that would be  
17 helpful.

18 CHAIRPERSON DAI: Okay. Commissioner Ward?

19 COMMISSIONER WARD: Yes. It's a great discussion  
20 this morning, this is also a very important issue. The  
21 only concern I have with not making a decision, at least  
22 on a process today, is that we have a very short timeline  
23 with which to expedite this decision, and we want to do  
24 it in a fair and a proper way, and make sure that it's  
25 given its full due.

1           But there might be equipment needs, there might  
2 be logistical needs, like a board, things like that, and  
3 if we wait until tomorrow morning to discuss the process  
4 and figure that out, you know, we could be at a big  
5 disadvantage.

6           It does seem like there are some models that  
7 we're all familiar with that are fair, adequate ways to  
8 make this a relatively easy decision as far as picking  
9 one member, as opposed to six or eight, that we could  
10 agree as a framework for doing tomorrow morning.

11           CHAIRPERSON DAI: Commissioner Raya?

12           COMMISSIONER RAYA: Oh, thank you. I think he  
13 said my thoughts.

14           CHAIRPERSON DAI: Okay. Commissioner Yao?

15           COMMISSIONER YAO: I'm hoping that we can perhaps  
16 make a decision of how to down-select from seven to maybe  
17 half that number, maybe. Hopefully, three names quickly,  
18 so that we can spend time to discuss the final three  
19 names, as compared to spending a big block of time during  
20 the early phase, because I think the final discussion is  
21 probably more beneficial than spending equal time for all  
22 the candidates.

23           CHAIRPERSON DAI: Commissioner Forbes and then  
24 Commissioner DiGuilio.

25           COMMISSIONER FORBES: Well, one way of doing that

1 is just to have your first vote of -- just have a single,  
2 or one, and see -- then see who doesn't get any votes,  
3 and then you just debate the ones who are left before you  
4 take another vote.

5 CHAIRPERSON DAI: Commissioner DiGuilio?

6 COMMISSIONER DI GUILIO: I was going to suggest  
7 something, I'm not sure if this is possible, or if  
8 there's time for all the Commissioners. Could we do  
9 something like give our top three to five choices to  
10 staff by tomorrow morning?

11 And similar to what they've done with some of our  
12 other hires, they've been able to compile the top vote-  
13 getter, so to speak, and the numbers associated, and then  
14 it would give us something in the morning to actually  
15 work from.

16 We would have, well, this, based on everyone's  
17 vote is where we stand and then we could just have a  
18 discussion. And then if we wanted to move forward with  
19 this type of vote counting, but it would just give us an  
20 idea of where we all stand.

21 CHAIRPERSON DAI: Okay. Commissioner Blanco?

22 COMMISSIONER BLANCO: I'm a little concerned.  
23 That maybe be -- that that may be technically okay within  
24 the -- you know, within our open meeting requirements,  
25 but that we lose the benefit of the discussion that led

1 some people to only submit two names.

2           You know what I mean, by doing that there's  
3 already some discussion that hasn't been aired. And I'm  
4 -- I think I'd like to sort of err on the side of the  
5 public hearing as much as possible about why some --  
6 why -- people will want to know why I, Commissioner  
7 Blanco --

8           COMMISSIONER DI GIULIO: Sure.

9           COMMISSIONER BLANCO: -- didn't consider this  
10 person. You know what I mean, kind of --

11           COMMISSIONER DI GIULIO: And I guess I was just  
12 thinking of trying to get to the last -- as Commissioner  
13 Yao said, just trying to get down to maybe the top, flesh  
14 it out, so we would have something to discuss rather than  
15 seven, but that's fine. I was just throwing out a  
16 suggestion.

17           CHAIRPERSON DAI: Commissioner Forbes, then  
18 Commissioner Ward.

19           COMMISSIONER FORBES: I was just going to say  
20 that we have -- this is not like hiring an executive  
21 director, I mean, I think this has to be done completely  
22 in public.

23           CHAIRPERSON DAI: Commissioner Ward?

24           COMMISSIONER WARD: The way I understood  
25 Commissioner Forbes' original motion, I could have been

1 wrong, but it's kind of a hybrid of what I'm hearing  
2 discussed now.

3           Whereas we all, individually, come up with our  
4 list of three and we have our particular reasons of  
5 comparing them with the criteria and coming up with that  
6 list. And then we immediately, as I understood it, kind  
7 of take that vote and just that helps par off, you know,  
8 the bottom two or so right away.

9           And then we start a discussion point with a  
10 narrowed field, with which we can debate, discuss, and  
11 collectively compare the strengths, weaknesses against  
12 the criteria established.

13           And that seems like a reasonable way to expedite  
14 the process, but also to make sure that all of the top  
15 candidates, as we compare them collectively, get a fair  
16 shake and full discussion.

17           CHAIRPERSON DAI: Any other Commissioners who  
18 have not yet commented, who would like to share their  
19 thoughts?

20           Commissioner Aguirre?

21           COMMISSIONER AGUIRRE: Yes, I would concur with  
22 those comments. Generally, in my review of the  
23 candidates, I've pared it down to about to three or four.  
24 So, the idea of walking in the door and discussing a  
25 smaller pool I think will be a better use of our time.

1 And so, I would -- I will support that suggestion.

2 CHAIRPERSON DAI: Let me suggest that one  
3 alternative, I'm just thinking how much time it will take  
4 for 13 Commissioners to discuss three choices, that we  
5 could still submit our selections to staff, and then have  
6 it projected up so that it is open and transparent. Just  
7 a thought.

8 COMMISSIONER BLANCO: Can you repeat that?

9 CHAIRPERSON DAI: My suggestion is that we could  
10 take a hybrid of Commissioner DiGuilio's suggestion of  
11 submitting our choices to staff, but to ensure that it's  
12 open and transparent, that it would just be projected up  
13 at the beginning what the votes were, so that it's very  
14 clear how we came to the top vote-getter, so each  
15 Commissioner's selection would be clear.

16 My other thought is that when we did this in the  
17 first eight we did not use such a formal process. It was  
18 very organic and, basically, people just nominated  
19 certain candidates to be in the pool and it naturally  
20 split at about half in the first round, so that only half  
21 of them were actually nominated to be in the pool for  
22 consideration.

23 So, that's another thought. Because we only have  
24 seven candidates to look at but it's -- you know, it's  
25 hard to predict how it's going to go.

1 Commissioner Yao?

2 COMMISSIONER YAO: You know, I see that as the  
3 same process. If we do the nomination publicly, in other  
4 words we cast our three votes, we certainly have the time  
5 to either advocate or explain as to why we didn't -- why  
6 we didn't pick the other four, okay.

7 And so, that really is an opportunity for us to  
8 explain ourselves. And if we can perhaps use that  
9 process, instead of going with what was suggested, those  
10 that get zero votes get -- get eliminated in that  
11 process, but using that process to get down to three  
12 names, or the three highest vote-getters.

13 And then starting with step number two, then we  
14 can go into the more detailed discuss as to, with the  
15 three remaining candidates, how you see the fit to the  
16 Commission, or to the Commission post.

17 CHAIRPERSON DAI: Commissioner Forbes?

18 COMMISSIONER FORBES: I think the biggest concern  
19 I have is that with 13 of us voting and seven, you may  
20 not be eliminating anyone.

21 So, one thought I had was that as a variant we  
22 would simply take the first round, only the three top  
23 vote-getters would remain in, not anybody who had a vote,  
24 just the three top vote-getters would stay in. And then  
25 we'd vote, again, and just the top two.

1 CHAIRPERSON DAI: Right. I mean, it's possible  
2 it could completely -- it could completely split.

3 COMMISSIONER FORBES: And I do think that  
4 Commissioner Yao's comment that it -- I think it's a  
5 useful thing for us to do when we say these are the three  
6 that I pick, or I would recommend that we talk about, and  
7 here's why, that provides an opportunity for that.

8 If we just give names to staff, at least for the  
9 first round that option's lost.

10 CHAIRPERSON DAI: Okay. Commissioner Yao?

11 COMMISSIONER YAO: Would Commissioner Forbes like  
12 to modify his motion?

13 COMMISSIONER FORBES: Yes, I'd modify it so that  
14 the -- in the first round of voting the top three vote-  
15 getters would remain. And if it's a tie, then however  
16 many would --

17 CHAIRPERSON DAI: Would go forward.

18 COMMISSIONER FORBES: It might be four. And if  
19 it's not a tie, then it's just the top three.

20 CHAIRPERSON DAI: Okay, there's been an alternate  
21 motion that the --

22 COMMISSIONER FORBES: Just a modification.

23 CHAIRPERSON DAI: A modification of the original  
24 proposal, as it's still --

25 EXECUTIVE DIRECTOR RICKARDS: I believe he

1 withdrew his original.

2 COMMISSIONER FORBES: Okay.

3 EXECUTIVE DIRECTOR RICKARDS: Well, let's be sure  
4 we got the motion, then.

5 COMMISSIONER FORBES: Okay, I'll try it again.

6 Okay. That we vote tomorrow as a Commission, each  
7 Commissioner will vote, cast three votes for the  
8 replacement position. The top three vote-getters will  
9 remain for the second round.

10 At that point, the Commission will discuss those  
11 who are left.

12 Following that discussion, we each get two votes  
13 and we'll vote again on the remaining three, and the top  
14 two vote-getters will remain.

15 We'll have further discussion, as needed, and  
16 then we'll each get one vote and whoever gets the most  
17 votes will be our new Commissioner.

18 CHAIRPERSON DAI: Right.

19 COMMISSIONER FORBES: And that's the process.

20 CHAIRPERSON DAI: Is that clear to everyone?

21 EXECUTIVE DIRECTOR RICKARDS: And for purposes of  
22 staff work, that's all.

23 COMMISSIONER WARD: I'll second that.

24 EXECUTIVE DIRECTOR RICKARDS: Do you want to  
25 submit that first vote to staff ahead of time?

1 COMMISSIONER FORBES: No.

2 EXECUTIVE DIRECTOR RICKARDS: You want to do  
3 it -- have us do it right here?

4 COMMISSIONER FORBES: Yeah, because --

5 EXECUTIVE DIRECTOR RICKARDS: All right,  
6 that's -- I'm much more comfortable with that in terms of  
7 openness.

8 COMMISSIONER FORBES: Yeah, because the idea is  
9 that at the time that each of us casts our three votes we  
10 will explain somewhat, briefly, why we cast those three  
11 votes.

12 CHAIRPERSON DAI: Okay. Commissioner Barabba.

13 COMMISSIONER BARABBA: Commissioner Forbes, did I  
14 understand you, in your discussion, that if the first  
15 vote comes and there's four people, then it would be  
16 four?

17 COMMISSIONER FORBES: Yeah, we won't cut to  
18 three, we'll keep it at four.

19 CHAIRPERSON DAI: Okay. Any further  
20 clarification needed? Commissioner Yao?

21 COMMISSIONER YAO: Just direction to staff, we'll  
22 need a poster board to publicly keep score.

23 CHAIRPERSON DAI: Okay. All right, so we had a  
24 second from Commissioner Ward.

25 All right. Any further discussion from among the

1 Commission?

2           Would any members of the public like to address  
3 the Commission on this issue of a selection process for a  
4 replacement Commissioner, please come forward.

5           Okay, seeing no one coming forward, are we ready  
6 for a vote?

7           Okay, I'm going to try this with a voice vote,  
8 first. All those in favor, please signify by raising  
9 your hand and saying aye.

10           (Ayes.)

11           CHAIRPERSON DAI: Those opposed?

12           Any abstentions?

13           Okay, it sounds like we have a unanimous vote and  
14 a process for selecting our replacement Commissioner for  
15 tomorrow.

16           So, I just would like to advise members of the  
17 public, if you would like to submit public comments about  
18 any of the individuals, please do so as soon as possible.

19           Remember that we announced yesterday that the  
20 deadline for public comment would be at the beginning of  
21 the meeting tomorrow, 9:30 a.m. And we may take a short  
22 recess so that we can review any last-minute public  
23 comments, just to make sure that we can consider them all  
24 before we cast our votes.

25           Both the preliminary and supplemental

1 applications are available on the "wedrawthelines"  
2 website, as well as the video interviews of each of these  
3 candidates, and the transcripts.

4           So, please take a chance, and all the  
5 Commissioners, of course, I hope you've all reviewed all  
6 of these, and everyone's done their homework, and be  
7 prepared to discuss this tomorrow.

8           Also, just to advise the public, that we will be  
9 having two expert presentations tomorrow afternoon so,  
10 hopefully, we're able to complete our selection process  
11 in the morning.

12           At two o'clock we have a presentation from Kirin  
13 MacDonald, from the Institute for Governmental Studies  
14 and the Statewide Database. She will be advising us on  
15 sharing her past experience with redistricting and, also,  
16 advising us on the potential locations for 50 outreach  
17 meetings.

18           And then right after that, we will have a  
19 presentation from Ditas Katague, who was the Director for  
20 Census 2010, and is going to share some thoughts on how  
21 she was able to do a lot of grass roots outreach with  
22 limited funds.

23           So, with that, I think I've taken care of  
24 everything I'd like to take care of this morning and we  
25 need to get upstairs for a Closed Session.

1           So, we will be going into Closed Session at 10:21  
2 for consideration of personnel matters, evaluation of  
3 candidates for staff position pursuant to Government Code  
4 11126(a)(1).

5           And we will reconvene at the end of this Closed  
6 Session before five o'clock, probably not much before  
7 five o'clock we will come out of Closed Session and  
8 announce any decisions that have been made.

9           Thank you.

10           (Recess at 10:20 a.m.)

11           (Reconvene at 1:08 p.m.)

12           CHAIRPERSON DAI: The time is 1:08 and we are  
13 temporarily back in --

14           COMMISSIONER YAO: Not yet. Not yet.

15           CHAIRPERSON DAI: Not yet?

16           [Technical Discussion]

17           CHAIRPERSON DAI: Okay. Great. Give us a sign.

18           Okay, it is 1:09 and we're back in Open Session.

19 We were in Closed Session to consider candidates for  
20 Commission staff positions and no decision has been made  
21 as of yet.

22           The reason we are back earlier than some of you  
23 may have been expected is that we discovered, due to  
24 technical difficulties, that the agenda for our February  
25 meeting was not posted on the website. And, therefore,

1 to meet the 14-day notice requirement, under the Voters  
2 First Act, the Commission will not be able to meet as  
3 originally planned on February 9<sup>th</sup>. So, we are in the  
4 process of getting the agenda up.

5 Again, that for notice we're beginning our notice  
6 on February 10<sup>th</sup>. So, that is a change and we wanted to  
7 make sure that everyone was aware of that.

8 The other announcement I have is that we will be  
9 going into Closed Session after this and we will not be  
10 coming back into Open Session today.

11 So, we will resume the meeting tomorrow morning  
12 at 9:30. And we will announce the results of our work in  
13 Closed Session and any actions taken tomorrow morning at  
14 9:30. So, we will not be resuming the meeting today.

15 COMMISSIONER FILKINS WEBBER: Madam Chair?

16 CHAIRPERSON DAI: Yes.

17 COMMISSIONER FILKINS WEBBER: Have you directed  
18 staff to post the agenda?

19 CHAIRPERSON DAI: Yes. I have directed staff to  
20 post the agenda, it is the agenda that we discussed and  
21 all provided input to, with the only change being that we  
22 will begin meeting on the 10<sup>th</sup>.

23 Commissioner Yao?

24 COMMISSIONER YAO: So, basically, the meeting has  
25 shifted to Thursday, Friday and Saturday for the

1 normal -- for the previously agendized meeting?

2 CHAIRPERSON DAI: Yes. What we had previously  
3 intended to go the 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>, we'll now be  
4 going --

5 COMMISSIONER YAO: All right. Just wanted to  
6 make sure that the --

7 CHAIRPERSON DAI: Right.

8 COMMISSIONER YAO: That it's still going to be a  
9 three-day meeting.

10 CHAIRPERSON DAI: Right. And again, we have  
11 actually -- we are planning to notice it through the  
12 weekend, as originally planned, so it's actually going to  
13 be noticed as a four-day meeting.

14 Do any of the other Commissioners have any  
15 concern about the subcommittee meetings occurring on  
16 Thursday?

17 I have heard that we will not have the -- we will  
18 have a quorum, but not have the votes that we might need  
19 to take action on Saturday because we have two -- we have  
20 two declined-to-state Commissioners who cannot stay on  
21 Saturday.

22 Is there any thought about making any further  
23 changes, given that information?

24 Yes?

25 COMMISSIONER AGUIRRE: Just that I have a

1 commitment Saturday afternoon, so I would have to leave  
2 around noon on that Saturday.

3 CHAIRPERSON DAI: So, let me just check, a quorum  
4 is nine Commissioners, right?

5 EXECUTIVE DIRECTOR RICKARDS: A quorum is nine  
6 Commissioners unless you're taking a decision that the  
7 statute specifically requires the super majority.

8 Normal decisions can be made by nine votes and it  
9 does not have to be three, three and two, three, three  
10 and three, except for the -- those instances that are  
11 specified in statute or in the Constitution.

12 COMMISSIONER FORBES: Can I ask Cy a question?

13 EXECUTIVE DIRECTOR RICKARDS: Yes.

14 COMMISSIONER FORBES: Does the fact that we're  
15 currently 13 members change how many votes it takes to  
16 pass something?

17 EXECUTIVE DIRECTOR RICKARDS: No.

18 CHAIRPERSON DAI: And the quorum is also  
19 specified as nine. So, I believe we will have ten  
20 Commissioners on Saturday, is that correct?

21 COMMISSIONER BLANCO: I'm looking at my calendar,  
22 I'm not sure that I will be there on Saturday. I will  
23 let you know, you know, before the end of the day.

24 CHAIRPERSON DAI: Okay. So, possibly nine.

25 COMMISSIONER DI GIULIO: Do we know about

1 Commissioner Parvenu's schedule?

2 CHAIRPERSON DAI: Let's see, do you happen to  
3 have the schedule on availability?

4 COMMISSIONER GALAMBOS MALLOY: I'd suggest we  
5 call Commissioner Parvenu to confirm. Those dates were  
6 given a while back.

7 CHAIRPERSON DAI: Yeah, at this moment he didn't  
8 indicate he wouldn't be here, but his schedule's subject  
9 to change.

10 Can I direct you to give him a call and see if  
11 you can confirm that?

12 So that if we -- I would say we go ahead and  
13 notice the meeting. If it becomes apparent we don't have  
14 a quorum for Saturday, then we will not be able to meet.  
15 There's nothing we can do about that. So, this was an  
16 unexpected change.

17 Yes, Commissioner Filkins Webber?

18 COMMISSIONER FILKINS WEBBER: One other question  
19 that I have is, is this particular agenda going to be  
20 posted in the manner in which we have done previously,  
21 which is that we are providing an actual noticed hearing  
22 with a schedule for the actual days that we understand  
23 we're going to meet, but we will be running the notice  
24 through the end of the month, and then providing  
25 specification as to the actual days and our schedule?

1           CHAIRPERSON DAI: What we decided to do, and we  
2 can change this, but our discuss was that we would  
3 actually notice it through that -- through the Sunday,  
4 and then we would put out another agenda from the  
5 following Monday through the end of the month.

6           COMMISSIONER FILKINS WEBBER: Because you were  
7 anticipating that the agenda would change?

8           CHAIRPERSON DAI: Because the location we  
9 anticipate will change.

10          COMMISSIONER FILKINS WEBBER: I understand.  
11 Thank you.

12          CHAIRPERSON DAI: Any other thoughts or concerns?

13          EXECUTIVE DIRECTOR RICKARDS: Just one minor  
14 clarification. Do you want to start the meeting at 9:00  
15 or 9:30?

16          CHAIRPERSON DAI: Let's go ahead with 9:00.

17          EXECUTIVE DIRECTOR RICKARDS: Okay.

18          CHAIRPERSON DAI: And in the worst case we'll get  
19 started a little late.

20          EXECUTIVE DIRECTOR RICKARDS: And we'll indicate  
21 that it will end at 5:00 or close of business, intending  
22 to mean it could go beyond 5:00.

23          CHAIRPERSON DAI: Right.

24          EXECUTIVE DIRECTOR RICKARDS: Okay.

25          CHAIRPERSON DAI: I think we're covered then.

1 EXECUTIVE DIRECTOR RICKARDS: Thank you.

2 CHAIRPERSON DAI: Okay. Any other questions or  
3 concerns? Is it clear what we're doing?

4 COMMISSIONER YAO: Just because of the closing  
5 time has been addressed, would we not want to maybe  
6 extend the day so that Saturday would not be necessary?  
7 Maybe -- I'm suggesting that perhaps we should go ahead  
8 and extend the --

9 CHAIRPERSON DAI: The meetings, yes.

10 COMMISSIONER YAO: -- end of the day time to,  
11 let's say, 6:30 or thereabouts, and give us an  
12 opportunity to make up for the Saturday. If we adjourn  
13 early, we adjourn early, but at least that will show up  
14 as intent.

15 COMMISSIONER BARABBA: It says close of business  
16 so we can stay as late as we want.

17 COMMISSIONER YAO: I understand. But in terms of  
18 informing the public that we're trying to --

19 CHAIRPERSON DAI: Of setting the expectation.

20 COMMISSIONER YAO: -- work an extended day.

21 EXECUTIVE DIRECTOR RICKARDS: Sure, we can.

22 CHAIRPERSON DAI: Yeah, why don't we do that. Is  
23 6:30 okay?

24 EXECUTIVE DIRECTOR RICKARDS: So, 9:00 to 6:30?

25 CHAIRPERSON DAI: Or close of business.

1 EXECUTIVE DIRECTOR RICKARDS: And close of  
2 business.

3 COMMISSIONER RAYA: No later than.

4 [Laughter]

5 COMMISSIONER FORBES: No later than close of  
6 business, okay.

7 Also, I would perhaps ask the Chair to consider  
8 whether we want to shorten up the subcommittee meetings?  
9 I notice the Legal Committee is there from 2:00 to 5:00  
10 in the afternoon. I do not -- I, at this time, cannot  
11 tell you we have three hours of work to do. So, whether  
12 the subcommittee meeting should be compressed to allow  
13 more time for the regular business if we're, in fact, not  
14 going to meet on Saturday.

15 CHAIRPERSON DAI: Well, that's a good point. So,  
16 we could, in fact, start the meeting late afternoon on  
17 Thursday.

18 COMMISSIONER YAO: Question of clarification.  
19 The agenda, the posted agenda does not identify the  
20 meeting time for the subcommittee meeting, does it not?

21 CHAIRPERSON DAI: Correct. We can just announce  
22 that at the beginning of the meeting.

23 COMMISSIONER YAO: Right.

24 CHAIRPERSON DAI: So what -- let's do this, why  
25 don't we -- because we have the flexibility to meet on

1 Thursday at any time, let me ask a volunteer from each of  
2 the subcommittees to think about some more detailed items  
3 and see. Because right now we have three hours for the  
4 first track, two hours for the second, and three for the  
5 third. And if you feel like you don't have that much to  
6 discuss, remember these are the first meetings so there's  
7 going to be some organizing, and thinking about issues,  
8 and that probably should be done in Open Session, anyway.  
9 So, if it's only -- if you think two hours is sufficient  
10 for the first meeting then --

11 COMMISSIONER BARABBA: Two hours should be  
12 sufficient, I would think.

13 CHAIRPERSON DAI: Yes, Commissioner Raya?

14 COMMISSIONER RAYA: Is it possible, because of  
15 the overlap in the -- I think in the charge between  
16 public information and outreach that we could all meet  
17 together? Is that -- would that totally destroy your  
18 plan?

19 CHAIRPERSON DAI: I think they're two separate  
20 charters, I really do.

21 COMMISSIONER RAYA: Okay.

22 CHAIRPERSON DAI: So, I don't -- I think they're  
23 related, but they're different.

24 So, am I hearing that two hours is sufficient?  
25 That would give us 9:00 to 10:00 -- 9:00 to 11:00, 11:00

1 to 1:00, and 1:00 to 3:00. So, we could start our  
2 meeting at 3:00?

3 [Collective Affirmation]

4 CHAIRPERSON DAI: Okay. So, the Finance and  
5 Administration Committee was going to take it on the chin  
6 and meet over lunch.

7 So, why don't we plan on that. We don't have to  
8 announce the subcommittee meetings. So, if anyone is  
9 concerned that that's not enough, then we can make that  
10 change the day of and we'll announce it that morning,  
11 when we open, what time we plan to come back as a full  
12 Commission.

13 Does that sound like a reasonable plan?

14 Okay, any other concerns?

15 Okay, it is now 1:18 and we're going to be going  
16 back into Closed Session for consideration of personnel  
17 matters, evaluation --

18 COMMISSIONER YAO: Chair Dai, I think we may need  
19 to offer the opportunity for public comments.

20 CHAIRPERSON DAI: Thank you for that reminder,  
21 Commissioner Yao.

22 We do have a couple members of the public here  
23 and if you would like to make any public comment on items  
24 on or off the agenda, feel free to approach the podium.

25 Seeing none, thank you for that reminder, let's

1 go back.

2           So, we are going to go -- it is now 1:19 and we  
3 are going to go back into Closed Session for  
4 consideration of personnel matters, the evaluation of  
5 candidates for Commission staff positions, under  
6 Government Code Section 11126(a)(1).

7           And we do not anticipate being back today. See  
8 you tomorrow at 9:30.

9                           (Adjourned at 1:19 p.m.)

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